

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EMERGENCY RESTORATION &
CLEANING, INC,

Plaintiff,

v.

EMERGENCY RESTORATION
COMPANY, INC. et al,

Defendants.

No. 2:22-cv-1981-CKD

ORDER

This action was filed on November 2, 2022 and assigned to solely the undersigned pursuant to Appendix A of the Local Rules. (ECF Nos. 1, 3.) Both defendants were served in April 2023. (ECF Nos. 7, 8.) On September 27, 2023, the court ordered plaintiff to show cause in writing why this action should not be dismissed under Federal Rule of Civil Procedure 41(b) for failure to prosecute. (ECF No. 9.)

On October 11, 2023, plaintiff filed a response to the order to show cause indicating that settlement negotiations are in process. (ECF No. 11.) Plaintiff also indicated that by November 1, 2023, plaintiff will either file a dismissal of this action or request for entry of default and default judgment. (*Id.* at 2.) Accordingly, the Order to Show Cause, ECF No. 9, is HEREBY DISCHARGED.

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1 IT IS SO ORDERED.

2 Dated: October 13, 2023



3 CAROLYN K. DELANEY
4 UNITED STATES MAGISTRATE JUDGE

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